

US EPA RECORDS CENTER REGION 5



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Stephen N. Haughey

Member

513.651.6127 (t)

SHaughey@fbtlaw.com

May 1, 2015

Via Overnight Mail

Ms. Leslie Patterson, RPM
U.S. EPA Region 5
77 W. Jackson Blvd, Mail Code SR-6J
Chicago, IL 60604-3590

Re: Response of The Standard Register Company to U.S. EPA's Special Notice Letter
for the South Dayton Dump Site in Moraine, Ohio

Dear Ms. Patterson:

On behalf of Standard Register, this letter responds to the above-referenced special notice letter.

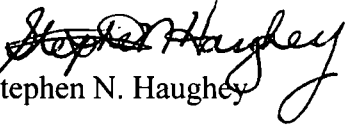
As you may know, Standard Register is one of numerous defendants in the CERCLA cost-recovery/contribution litigation that is pending in federal court in Dayton, Ohio, captioned as *Hobart Corporation et. al., v. Dayton Power & Light Company et. al.*, Case No. 3:13-cv-115, U.S. District Court, Southern District of Ohio, Western Division (Rice, J.). In the two years that discovery has been underway in the case, Standard Register has not uncovered any documents, nor discovered recollections from any retired or former employee, indicating that the Company ever disposed, directly or indirectly, of any waste, at the site. Nor in numerous depositions taken in the case during the last two years has a single retired or former driver for any Dayton-area hauler testified that the driver or his/her company ever hauled wastes for Standard Register to the site. And the only witness (Edward Grillot) who testified in 2012 that Standard Register sent cash register parts to the site subsequently recanted his testimony in his 2013 deposition, when he could not remember Standard Register ever sending any waste to the site. In addition, Standard Register never made cash registers, and Mr. Grillot admitted in his 2013 deposition that he could not differentiate between Standard Register and the National Cash Register Company (NCR), a Dayton area company that did in fact manufacture cash registers. For these reasons, Standard Register questions the basis for the belief that the Company is potentially liable under CERCLA for response costs incurred at this site.

Because Standard Register never disposed of wastes at this site, the Company is not potentially liable, and therefore it respectfully declines U.S. EPA's invitation to participate in negotiations to enter into a consent order to perform a modified/amended RI/FS for the site and reimburse the Agency for past unreimbursed costs. If the Agency has information that indicates that Standard Register is potentially liable under CERCLA at this site, please provide it to me immediately so that I can evaluate its potential impact on the Company's response.

Please express my appreciation to Mr. Nash for the additional time to respond to the special notice.

Very truly yours,

FROST BROWN TODD LLC


Stephen N. Haughey

cc: Hermina Glaser, Associate General Counsel
Thad Driscoll, FBT